

REMARKS

In order to emphasize the patentable distinctions of applicants' contribution to the art, claim 32 has been amended to set forth in independent form the subject matter of previous claim 35. In particular, claim 32 now incorporates the subject matter of claim 34, whereby there is included recitation of a toroid having an inner side surface, an outer side surface, a top and a bottom. Claim 32 further incorporates subject matter previously delineated by claim 35, which depended from claim 32 through intervening claim 34. Claim 35 has now been canceled to expedite prosecution.. As thus amended, claim 32 calls for a method of manufacturing a soft magnetic metal electro-mechanical component, wherein soft magnetic metal ribbon is wound into a toroid having an inner side surface, an outer side surface, a top, and a bottom. The toroid is contained within a milling assembly, the containing comprising placing an inner ring circumferentially about at least a portion of the inner side surface. Inasmuch as claim 35 recites subject matter deemed allowable by the Examiner, it is submitted that claim 32, and claims 36-47 and 50-53, which depend directly or indirectly from claim 32, are allowable for at least the same reasons.

For the sake of clarity, claims 36-39 have been amended to depend from claim 32 instead of claim 34. The recitation of placing at least one of an inner ring, an outer ring, and a hat in claim 38, which depends from claim 32, has been deleted. Furthermore, the inner ring feature formerly recited in claim 39 has been removed, this feature instead now being inherited from amended base claim 32.

Claims 63-65 have been amended to depend from claim 62 instead of claim 32. This amendment was also presented in the response under 37 CFR 1.116 filed July 30, 2007, but not entered. Although claims 63-65 currently stand withdrawn, this amendment is herewith resubmitted for the sake of clarity and to correct an obvious typographical error. Appreciation is expressed for the

Examiner's identification of this error, and the dependency of the claims has been corrected accordingly.

New claims 66-73 have been presented to provide adequate coverage for applicants' contribution to the art. Claim 66 recites in independent form subject matter previously delineated by claims 32, 34, and 36. Claims 67-73 depend directly or indirectly from claim 66, and include features generally recited by claims 37-38, 41-44, and 54, respectively. Inasmuch as the Examiner has indicated that claim 36 recites allowable subject matter, it is respectfully submitted that claim 66, and claims 67-73 dependent thereon are also allowable.

The foregoing amendments are made with respect to the version of the claims presented in applicants' Amendment Under 37 CFR 1.111 entered February 27, 2007. It is understood that the claim amendments proposed in applicants' Amendment Under 37 CFR 1.116 filed July 30, 2007 were not entered.

Support for the amendment of claims 32, 35-39, and 63-65, and for new claims 66-73, is provided by the original specification; particularly at page 5, lines 1-2, 6-11, and 19-21; page 6; and page 7, lines 1-2; and claims 22-23 and 25-28 as originally filed. Consequently, no new matter has been added.

Claims 20-31 and 34 were cancelled previously.

Claims 33, 48-49, and 54-65 stand withdrawn as being directed to a non-elected invention.

Appreciation is expressed for the withdrawal of the provisional rejection of claims 32, 34-47, and 50-53 on the ground of nonstatutory obviousness-type double patenting over claims 32, 34-47, and 50-53 of US Patent Application Serial No. 10/876,034 in view of Decristofaro et al.

Applicants' invention, as recited by remaining claims 32, 36-47, 50-53, and 66-73, provides a method for manufacturing a soft magnetic metal electromechanical component and a component made with such method. Generally stated, the method comprises the steps of winding soft magnetic metal into a toroid; containing the toroid within a milling assembly; applying an adhesive to the toroid; curing the adhesive; milling the toroid into an electro-mechanical component shape; and thermally processing the electro-mechanical component shape into an electro-mechanical component. The containment afforded by the milling assembly permits reliable and efficient manufacture of the present component. Fracture and delamination of the ribbon-form material are mitigated or eliminated, preventing mechanical and magnetic degradation of the present component. These difficulties are especially likely to occur in manufacturing components employing hard and brittle materials, such as amorphous metal ribbon.

In the Advisory Action dated August 13, 2007, the Examiner has maintained the objection to claims 35, 36, 38-47, and 50-53 as being dependent from a rejected base claim. A similar objection was earlier set forth in the Office Action dated May 31, 2007. Applicants' after-final amendment filed July 30, 2007 included an amendment of claim 32 to incorporate, in the alternative, subject matter previously set forth in claims 35 and 36, which were deemed allowable. However, the Examiner did not enter the claim amendments, alleging that the amendment incorporated only a portion of the limitations from claim 38. He thus indicated that the scope of the amended claim 32 was sufficiently narrowed to raise new issues requiring further consideration by the Examiner. He further indicated that the alternative language of "at least one of" also raised new issues under 35 USC 112, second paragraph. Having not entered the claim amendments, the Examiner maintained his previous objection to claims 35, 36, 38-47, and 50-53, but has acknowledged that the further matter of obviousness-type

double patenting included in the objection as of May 31, 2007, has been mooted by the filing of a suitable terminal disclaimer.

Applicants respectfully traverse the assertions of the Examiner that caused the previous claim amendments not to be entered. Nevertheless, to expedite prosecution, applicants have herewith presented claim 32 in a different form now incorporating the subject matter of former claim 35 and intervening claim 34. New independent claim 66 reciting the limitations of previous claims 32, 34, and 36 is also presented herewith. For the reasons set forth hereinbelow in further detail, it is submitted that the objection to claims 35, 36, 38-47, and 50-53 has been mooted by these amendments, and that independent claims 32 and 66 are allowable, together with the claims dependent thereon.

Accordingly, reconsideration of the objection to claims 35, 36, 38-47, and 50-53 is respectfully requested.

Claims 32 and 34 were rejected under 35 USC 102(e) as being anticipated by US Patent No. 6,803,694 to Decristofaro et al., which is directed to a unitary amorphous metal magnetic component for an axial flux electric machine such as a motor or generator. Inasmuch as claim 34 has now been cancelled, this rejection will be addressed with respect to claim 32 as now amended.

In particular, independent claim 32 has now been amended to incorporate the limitations formerly recited by claims 34 and 35. It is thus submitted that independent claim 32 is now allowable over the art applied, in view of the incorporation in claim 32 of the limitations of claim 35 and intervening claim 34.

Accordingly, reconsideration of the rejection under 35 USC 102(e) of claims 32 and 34 over Decristofaro et al. is respectfully requested.

It is further submitted that amended claims 36-47 and 50-53, which all depend from claim 32, are patentable for at least the same reasons.

Claim 37 was rejected under 35 USC 103(a) as being unpatentable over Decristofaro et al. in view of US Patent No. RE 28,559 to Villano, which provides an apparatus for milling Swiss-type screw machine cams.

The Examiner has acknowledged that Decristofaro et al. fails to mention a the milling assembly that includes a hat, and therefore has pointed to Villano as allegedly teaching a process that includes a milling assembly that can be broadly read as disclosing such a hat.

As now amended, claim 37 depends from claim 32, which is submitted now to recite subject matter the Examiner has deemed allowable. Applicants thus submit that amended claim 37 is also patentable over the art of record.

Accordingly, reconsideration of the rejection of claim 37 under 35 USC 103(a) as being unpatentable over Decristofaro et al. in view of Villano is respectfully requested.

Applicants respectfully submit that the indication of the withdrawal of claims 55-59 in the Office Action Summary (Form PTOL-326) included in the Office Action dated May 31, 2007, and the Advisory Action dated August 13, 2007, was apparently given inadvertently. In particular, the Election/Restriction Requirement of the August 1, 2006 Office Action (pp. 2-3) included claims 55-59 within Group III-D. In applicants' response entered August 28, 2006, Group III-D was elected for further prosecution on the merits. In the Office Action dated May 31, 2007, the Examiner has further confirmed the constructive election of the claims of Group III-D, inasmuch as an action on the merits has been entered on the claims of Group III-D.

It is respectfully noted that applicants' response dated February 27, 2007 included remarks noting the apparent absence of any consideration of claims 55-59, notwithstanding their election as part of Group III-D. That response further requested appropriate consideration of claims 55-59. Applicants are unaware of any further basis on which claims 55-59 might have been withdrawn, and no other statutory rejection of these claims is included in the present office action.

Accordingly, it is submitted that claims 55-59 should not have been withdrawn from prosecution and that applicants are entitled to examination of said claims on the merits. Claims 55-59 are believed to be patentable over the art of record for at least the same reasons as set forth hereinabove with respect to claim 32.


Reconsideration of the withdrawal of claims 55-59 of elected Group III-D and examination of said claims on the merits and their allowance are respectfully requested.

In the May 31, 2007 Office Action, the Examiner acknowledged that the inventions designated as belonging to Groups III-A through III-F are linked by generic claim 32. It is respectfully submitted that amended claim 32 remains generic to the claims of Groups III-A through III-F and is allowable for the reasons set forth above. Applicants thus respectfully request rejoinder of all the claims delineated in Groups III-A through III-F, specifically: claim 60 of Group III-A; claim 61 of Group III-B; claim 33 of Group III-C; claims 48-49 of Groups III-D and III-E; claims 62-65 of Group III-F, along with claims 55-59 of Group III-D. Each of these claims presently stands withdrawn as being directed to a non-elected invention. However, it is submitted that upon allowance of generic claim 32, applicants are entitled to such rejoinder and examination under 37 CFR 1.104. It is respectfully noted that claims 33, 48-49, and 60-65 all depend directly or indirectly from amended claim 32. Applicants accordingly request rejoinder of claims 33, 48-49, and 60-65 and maintain that each of said claims, as amended, is

allowable over the art of record for at least the same reasons as set forth hereinabove in connection with the rejections over Decristofaro.

In view of the amendment of claims 32, 36-39, and 63-65; the cancellation of claim 35; and the foregoing remarks, it is submitted that the present application has been placed in allowable condition. Reconsideration of the objection to claims 35, 36, 38-47, and 50-53, the rejection of claims 32, 34, and 37, and the withdrawal of claims 55-59; the rejoinder of claims 33, 48-49, and 60-65 and their examination, together with claims 55-59; and allowance of the present application, as delineated by amended claims 32-33, 35-53, and 55-65 and newly presented claims 65-73, are, therefore, earnestly solicited.

Respectfully submitted,
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